



HUNTON ANDREWS KURTH LLP
2200 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20037-1701

TEL 202 • 955 • 1500
FAX 202 • 778 • 2201

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MATTHEW J. RICCIARDI
DIRECT DIAL: 202 • 955 • 1685
EMAIL: mricciardi@HuntonAK.com

Via Electronic Case Filing

FILE NO: 68026.6

Hon. Steven I. Locke, U.S.M.J.
United States District Court for the Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Capricorn Management Systems, Inc. v. GEICO, et al.*
Case No. 2:15-cv-02926-DRH-SIL

Dear Judge Locke:

This firm represents defendant Government Employees Insurance Company (“GEICO”) in the subject civil action. We write with the consent of all parties to request that a corrupt version of GEICO’s recent Motion to Seal (ECF No. 122) be expunged in favor of a corrected version of that motion (ECF No. 123) just filed.

In accordance with Your Honor’s electronic docket order of November 16, 2018, and the Bundle Rule, GEICO electronically filed all papers associated with Defendants’ Motion for Summary Judgment (ECF No. 121) on December 21, 2018. An unopposed Motion to Seal (ECF No. 122) one exhibit accompanied the public motion papers.

While compiling the as-filed PDFs comprising the Motion to Seal for service on counsel of record, we discovered that the PDF of Exhibit A (ECF No. 122-4) was corrupt. Specifically, pages 11–43 are blank. The corrected Motion to Seal (ECF No. 123) is identical to the prior Motion to Seal (ECF No. 122), except that it substitutes a complete version of Exhibit A.

To avoid duplicative motion papers on the docket, GEICO respectfully requests that Your Honor direct the Clerk to expunge the corrupt Motion to Seal (ECF No. 122) in favor of the corrected Motion to Seal (ECF No. 123) filed contemporaneously herewith. We have conferred with counsel for all parties regarding this request, and none opposes it. Counsel thank Your Honor for his continuing consideration.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Matthew J. Ricciardi".

Matthew J. Ricciardi

cc: Counsel of Record (via CM/ECF)

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